IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 14TH NOVEMBER 2006 / 23RD KARTHIKA 1928

Crl.Rev.Pet.No. 3961 of 2006()

CRA.164/2004 of ADDL. DISTRICT AND SESSIONS COURT, (AD-HOCIII)N.PARAVUR
CC.525/2001 of JUDL.MAGISTRATE OF FIRST CLASS-I, ALUVA

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REVN. PETITIONER/APPELLANT/ACCUSED

M.M.MOHAMMED, S/O. MEETHIYAN,
MUNDETH HOUSE, MEKKALADY, MANIKKAMANGALAM P.O.

BY ADV. SRI.K.S.ARUN BABU

RESPONDENTS/RESPONDENTS/COMPLAINANT

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1. SHAMSUDHEEN, S/O. KOCHU MUHAMMED,
   FASHEELA MANZIL, ADUVASSERY.

2. STATE OF KERALA, REPRESENTED BY
   THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. C.K. SURESH
BY ADV. SRI.V.K.VEERAVUNNY

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 14/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T.SANKARAN, J

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Crl. R.P. No. 3961 OF 2006

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Dated this the 14th day of November, 2006

ORDER

The petitioner was convicted for the offence under Section 138 of the Negotiable Instruments Act and he was sentenced by the trial court to undergo simple imprisonment for a period of one month. Petitioner was directed to pay compensation of Rs.20,000/- to the complainant and in default to undergo simple imprisonment for two months. The petitioner filed appeal challenging the conviction and sentence. The appellate court confirmed the conviction and sentence.

2. Crl.M.A. No. 11348/2006 is filed under Section 147 of the Negotiable Instruments Act, signed by the petitioner/accused and the first respondent/complainant wherein it is stated that the matter is settled between the parties and that the first respondent has no grievance against the petitioner and has no objection in setting aside the conviction and sentence.

Crl. M. Application No. 11348/2006 is allowed. Conviction and sentence against the petitioner are set aside.

Crl. R.P. is allowed.

K.T.SANKARAN,
JUDGE

csl